

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE (REV. 2-2005)		ATTORNEY'S DOCKET NUMBER 3220-100522
<b>TRANSMITTAL LETTER TO THE UNITED STATES</b> <b>DESIGNATED/ELECTED OFFICE (DO/EO/US)</b> <b>CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <div style="font-size: 1.5em; font-weight: bold; text-align: center;">10/550439</div>
INTERNATIONAL APPLICATION NO. PCT/US2004/009358	INTERNATIONAL FILING DATE 26 March 2004	PRIORITY DATE CLAIMED 27 March 2003
TITLE OF INVENTION <b>METALLIC NANOPARTICLES AS ORTHOPEDIC BIOMATERIAL</b>		
APPLICANT(S) FOR DO/EO/US <b>Thomas J. Webster and Jeremiah U. Ejiofor</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))           <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</li> <li>11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</li> <li>12. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</li> </ol>		
Items 13 to 23 below concern document(s) or information included:		
<ol style="list-style-type: none"> <li>13. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>15. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>16. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>17. <input type="checkbox"/> A substitute specification.</li> <li>18. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</li> <li>20. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>21. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</li> <li>22. <input checked="" type="checkbox"/> Express Mail Label No. <b>EV 705200060 US</b></li> <li>23. <input checked="" type="checkbox"/> Other items or information:           <div style="margin-left: 20px;">             Check no. 12672 for \$500.00              Power of Attorney              Fee sheet in duplicate           </div> </li> </ol>		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO (if known, see 37 CFR 1.5) <div style="font-size: 24pt; font-weight: bold; text-align: center;">10/550439</div>		INTERNATIONAL APPLICATION NO. PCT/US2004/009358		ATTORNEY'S DOCKET NUMBER 3220-100522					
The following fees are submitted: 24. <input checked="" type="checkbox"/> Basic national fee ..... \$300				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">CALCULATIONS</th> <th style="width: 50%;">PTO USE</th> </tr> <tr> <td>\$ 300.00</td> <td></td> </tr> </table>		CALCULATIONS	PTO USE	\$ 300.00	
CALCULATIONS	PTO USE								
\$ 300.00									
25. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4). ..... \$100 All other situations. .... \$200				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>\$ 100.00</td> <td></td> </tr> </table>		\$ 100.00			
\$ 100.00									
26. <input checked="" type="checkbox"/> Search fee ..... Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... \$100 International Search Report prepared and provided to the Office ..... \$400 All other situations. .... \$500				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>\$ 100.00</td> <td></td> </tr> </table>		\$ 100.00			
\$ 100.00									
<b>TOTAL OF 24, 25 and 26 =</b>				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>\$ 500.00</td> <td></td> </tr> </table>		\$ 500.00			
\$ 500.00									
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.									
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE						
10 - 100 =	0 /50 =	0	x \$250.00	\$	\$0.00				
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>\$</td> <td></td> </tr> </table>		\$			
\$									
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE						
Total claims	11 - 20 =	0	x \$50.00	\$	\$0.00				
Independent claims	2 - 3 =	0	x \$200.00	\$	\$0.00				
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>\$</td> <td>\$0.00</td> </tr> </table>		\$	\$0.00		
\$	\$0.00								
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>\$</td> <td>\$500.00</td> </tr> </table>		\$	\$500.00		
\$	\$500.00								
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>\$</td> <td>\$0.00</td> </tr> </table>		\$	\$0.00		
\$	\$0.00								
<b>SUBTOTAL =</b>				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>\$</td> <td>\$500.00</td> </tr> </table>		\$	\$500.00		
\$	\$500.00								
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>\$</td> <td>\$0.00</td> </tr> </table>		\$	\$0.00		
\$	\$0.00								
<b>TOTAL NATIONAL FEE =</b>				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>\$</td> <td>\$500.00</td> </tr> </table>		\$	\$500.00		
\$	\$500.00								
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>\$</td> <td>\$0.00</td> </tr> </table>		\$	\$0.00		
\$	\$0.00								
<b>TOTAL FEES ENCLOSED =</b>				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>\$</td> <td>\$500.00</td> </tr> </table>		\$	\$500.00		
\$	\$500.00								
				Amount to be \$					
				Amount to be \$					

a. ☒ A check in the amount of \$ 500.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 12-0913. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Barnes & Thornburg, LLP  
 P.O. Box 2786  
 Chicago, IL 60690-2786

SIGNATURE

**Jagriti R. Chander**

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NAME

**46,610**

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REGISTRATION NUMBER